

EXHIBIT A

KITCHEN WINNERS NY INC., ET AL. -against- ROCK FINTEK LLC, ET AL.

Joseph Weiner on 11/15/2023

Page 33

2 Q. Okay.

3 So you got gloves from Prestige? You
4 got gloves from M2020? Correct?

5 A. Correct.

6 Q. What kind of gloves were those?

7 A. MedCare gloves.

8 Q. Any specific kind of MedCare gloves?

9 A. There was Nitrile examination gloves,
10 and it was packaged in boxes that it said
11 protection.

12 Q. So you acknowledge and you agree with me
13 that the boxes you sold that came from Prestige and
14 M2020 did not say examination on the box?

15 A. Prior to the contract, and I identified
16 it to them, and they said it's okay, they want it.

17 Q. Who told you that?

18 A. Arik Maimon.

19 Q. Okay.

20 How did you communicate with Arik
21 Maimon about the Prestige and M2020 source
22 protection gloves?

23 A. Or by phone or through Mendel.

24 Q. When you say "through Mendel," just to be
25 clear, Mendel Banon, correct?

KITCHEN WINNERS NY INC., ET AL. -against- ROCK FINTEK LLC, ET AL.
Joseph Weiner on 11/15/2023

2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK
4 -----X

5 KITCHEN WINNERS NY INC.,
6 Plaintiff,
7 -against- Index No. :
8 ROCK FINTEK LLC, 22-cv-05276

9 Defendant,
10 -----X
11 ROCK FINTEK LLC,
12 Counterclaim and Third-
Party Plaintiff,
13
14 -against-
15 KITCHEN WINNERS NY INC.,
16 Counterclaim Defendant,
17 and
18 ADORAMA INC., HERSHEY WEINER, JOSEPH
MENDLOWITZ, JNS CAPITAL HOLDINGS LLC
19 and JOEL STERN,
20 Third-Party Defendants.
21 -----X
22 Remote EBT
23
24 November 15, 2023
8:57 A.M.
25

KITCHEN WINNERS NY INC., ET AL. -against- ROCK FINTEK LLC, ET AL.

Joseph Weiner on 11/15/2023

Page 34

2 A. Correct.

3 Q. And so Mendel would tell you what Arik
4 told him or you were on a call together?

5 A. Sometimes it was a call together.

6 Sometimes -- in the beginning Arik didn't talk to
7 me directly. Arik didn't know me and he couldn't
8 connect to me. Mendel connected him to me. That
9 was way in the beginning, so I don't recall if it
10 was a three-way call.

11 But I know after a certain time when we
12 built up a relationship he spoke to me directly on
13 a daily basis. Not every day, but it was quite
14 often to me on the phone.

15 Q. Okay.

16 Did you exchange text messages or
17 WeChat or WhatsApp messages with Arik?

18 A. I'm not a big texter, so not that I
19 recall. If you want, I can go back and check. I
20 wouldn't believe so, because I'm not so good at --
21 as I told you, I'm dyslexic so I'm not the biggest
22 texter or WeChat or those kinds of stuff.

23 Q. Have you checked for any text messages or
24 WeChat or WhatsApp messages between you and Arik or
25 Mr. Banon in searching for discovery in this

KITCHEN WINNERS NY INC., ET AL. -against- ROCK FINTEK LLC, ET AL.

Joseph Weiner on 11/15/2023

Page 61

2 has all the paperwork. It's in my part of my
3 production.

4 Q. Okay.

5 So let me turn to a slightly different
6 topic. We've talked about Mendel Banon a few
7 times.

8 What is Mendel Banon's role with
9 respect to Kitchen Winners?

10 A. He was a broker.

11 Q. Okay.

12 Can you describe how he provided broker
13 services to Kitchen Winners with respect to the
14 Rock Fintek business.

15 A. Rock Fintek was a little bit more also
16 in the beginning because he felt that he was doing
17 the sales, also. Because Arik Maimon came to him,
18 not to me. So he was a broker on that part, also.
19 He felt he deserved something out of that as well.

20 So he was -- in the beginning, he spoke
21 to Arik Maimon quite -- I think on every -- one or
22 two or three phone calls, he was involved or more.
23 And that's what I remember.

24 Q. So did Mr. Banon have gloves of his own
25 to sell to Rock Fintek?

KITCHEN WINNERS NY INC., ET AL. -against- ROCK FINTEK LLC, ET AL.

Joseph Weiner on 11/15/2023

Page 62

2 A. You have to ask him.

3 Q. Okay.

4 Do you have knowledge of any MedCare
5 brand gloves that Mr. Banon sold to Rock Fintek
6 directly?

7 A. Not to my knowledge.

8 Q. Okay.

9 So at some point Mr. Banon reached out
10 to you looking to sell MedCare gloves to Rock
11 Fintek? What was the first time you discussed
12 Rock Fintek business with Mr. Banon?

13 MR. SPERBER: Objection to the form.

14 A. I don't recall. But I can recall that
15 he was very excited that they took him to a boat
16 to schmooze him up and like get him on board. And
17 he was excited.

18 You know, they take him on the yacht,
19 all this spiel, I'm a billionaire and I was
20 sitting on a yacht on the deck and I had a
21 beautiful time, you have to come here.

22 That's what I remember. He was all
23 excited. Oh, the billions -- guys that have
24 billions of dollars. He was all excited.

25 Q. **He was excited to do business with**

KITCHEN WINNERS NY INC., ET AL. -against- ROCK FINTEK LLC, ET AL.

Joseph Weiner on 11/15/2023

Page 63

2 someone who he viewed as wealthy and viewed this as
3 an opportunity?

4 A. He was excited. I just told you
5 what -- you asked me what happened. This is what
6 I remember. I remember a kid getting a candy.

7 Q. So you observed him being excited. What
8 did he tell you about Rock Fintek?

9 A. That they want to buy gloves and he's
10 excited. I wasn't so impressed because I heard
11 this every day.

12 Q. Okay.

13 So what did he -- how did --

14 A. He got a big candy.

15 Q. When you say he acted as a broker, did
16 you have an agreement with Mr. Banon?

17 A. No. It's all verbal.

18 Q. Okay.

19 And what was your verbal agreement?

20 A. That he would get something when we're
21 done out of the sales of it.

22 Q. How much was he going to get?

23 A. I would have to talk to him and go over
24 the conversations.

25 Q. Well, did you review any --

KITCHEN WINNERS NY INC., ET AL. -against- ROCK FINTEK LLC, ET AL.

Joseph Weiner on 11/15/2023

Page 87

2 Q. Okay. Just so the record is clear. It's
3 easier to say MedCare than Global Tooling Services.

4 So when did you first become involved
5 with doing business with MedCare?

6 A. End of 2020. September, October. I
7 think October, November.

8 Q. How did you become -- how did you start
9 doing business with MedCare?

10 A. Also Mendel brought me a connection,
11 somebody from Europe. That guy from Europe
12 connected us to Anna Grinvald and we started
13 connecting and doing business.

14 Q. So the MedCare connection came through
15 Mendel Banon?

16 A. Yes.

17 Q. Was he in any way compensated for
18 connecting you with MedCare?

19 A. No.

20 Q. Okay.

21 Let's go through some exhibits.

22 (Whereupon, a letter was marked as
23 Weiner Exhibit 3 for identification, as of
24 this date.)

25 Q. This one should be quick. I've put a